



# Americans with Disabilities Transition Plan

July 2016

Prepared by the Kentucky Transportation Cabinet

200 Mero Street

Frankfort, Kentucky 40622 <http://transportation.ky.gov>



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# Statement from the Secretary

The Kentucky Transportation Cabinet (KYTC) is committed to meet or exceed the needs and expectations of our customers by providing a safe and reliable transportation system that delivers economic opportunity and enhances the quality of life for all Kentuckians. Our focus is on people – our customers, our employees, and our partners.

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# KYTC

## ADA Transition Plan

KENTUCKY TRANSPORTATION CABINET

July 8, 2016

Commented [WA(1): Melvin is getting new Policy Statement Signed



Matthew G. Bevin  
Governor

COMMONWEALTH OF KENTUCKY  
TRANSPORTATION CABINET  
Frankfort, Kentucky 40622  
www.transportation.ky.gov

Greg Thomas  
Secretary

Official Order 110251

AMERICANS WITH DISABILITIES ACT/SECTION 504 POLICY STATEMENT

The Kentucky Transportation Cabinet (hereinafter will be referred to as Cabinet) prohibits discrimination on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status or disability with respect to all guidelines and policies for employment and access to the Cabinet's programs, services, or activities, or be denied access and/or admission to any of the Cabinet's facilities, in accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (ADA).

With regard to this policy an individual with a disability is defined as any person who:

- Has physical or mental impairment which significantly restricts one or more major life activities;
- Individuals with a history and/or record of impairment; or
- Are regarded as having a physical or mental impairment which hinders their ability to participate in day-to-day functions and/or major life activities.

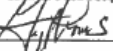
The Cabinet is dedicated to providing reasonable accommodations for an individual(s) with a disability to allow for their participation in employment, activities, services, and access and/or admission to any of the Cabinet's facilities; the Cabinet has in place procedures which allow for persons with a disability to request reasonable accommodation.

The Cabinet is committed to providing communication access for applicants, employees, beneficiaries, and members of the public with disabilities including persons with hearing and visual impairments; auxiliary aids/services shall provide upon request to individuals with a disability, e.g., sign language interpreters, readers, braille, and large print text.

The ADA/504 Coordinator for the Cabinet, can answer any ADA related questions and handle reasonable accommodation request as well as provide information regarding filing a complaint alleging discrimination on the basis of a disability. Complaints and, comments, and/or questions should be addressed to:

Office for Civil Rights & Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor  
Frankfort, KY 40622

This policy shall be prominently posted throughout the Cabinet and include in written materials regarding the Cabinet's sub-recipients' programs.

  
\_\_\_\_\_  
Greg Thomas, Secretary  
Kentucky Transportation Cabinet

6/27/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Todd Shipp Esq., Special Assistant  
Office of Legal Services

6/30/16  
\_\_\_\_\_  
Date



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## Introduction and Overview

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### [Kentucky Transportation Cabinet's Mission](#)

To provide a safe, efficient, environmentally sound and fiscally responsible transportation system that delivers economic opportunity and enhances the quality of life in the Commonwealth of Kentucky.

### [Overview](#)

The KYTC is an executive branch agency responsible for overseeing the development and maintenance of a safe, efficient multi-modal transportation system throughout the Commonwealth. The KYTC manages more than 27,000 highways, including roughly 20,500 miles of secondary roads, 3,600 miles of primary roads, and more than 1,400 interstate and parkway miles. The KYTC also provides direction for 230 licensed airports and heliports and oversees all motor vehicle and driver's licensure for more than three million drivers in the Commonwealth.

### [Transition Plan Need and Purpose](#)

Effective in July of 1990 the Americans with Disabilities Act of 1990 (ADA) is a Civil Rights directive requiring equal opportunity for persons with disabilities. The ADA prevents a public entity from discriminating against individuals with disabilities in regards to access to facilities and services which are provided by the public entity. There are five separate Titles of the ADA discussing protections against potential discrimination:

- Employment
- Public Services and Transportation
- Public Accommodations and Services
- Telecommunications
- Miscellaneous Provisions

Title II of the ADA relates to programs, activities, and services provided by public entities. As provider of public transportation services and programs KYTC has to comply with this section of the ADA, as it directly relates to the state public service agencies and state transportation agencies. Title II states "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity" (28 C.F.R. Part 35).

The U.S. Department of Justice (DOJ) regulations state, that state and local governments are required to perform a self-evaluation of their services, programs, policies, and practices, as



well as, identify barriers which may potentially limit accessibility for persons with disabilities. Also, state and local governments are required to develop a transition plan detailing how they will address and remedy barriers that have been identified.

With regard to the KYTC as well as, organizations receiving funding from KYTC, these entities are mandated to comply with Title II of the ADA, 28 C.F.R. Part 35 Sec. 35.105 and Sec. 35.150. Per the Act a transition plan is required meaning that a self-evaluation of KYTC's services, programs, policies and practices is to be conducted in order to identify impediments that may potentially limit accessibility for people with disabilities. The plan will also provide remedies explaining how KYTC plans to address the identified barriers.

The KYTC's ADA Transition Plan provides information about the condition of the KYTC pedestrian network and the next steps under the ADA of 1990 to make all KYTC facilities accessible by individuals with disabilities.

This Plan is only intended for transportation facilities owned or operated by KYTC. KYTC recognizes that a significant portion of the curb barriers, non-compliant curb ramps, and inaccessible pedestrian corridors are geographically located within the jurisdiction of cities, municipalities, and other local governments. Although such locations are beyond the responsibility of KYTC, KYTC strongly recommends local communities develop and adhere to their own transition plan as required by Title II of the ADA. FHWA-KY Division, KYTC, Area Developmental Districts (ADDs), and Metropolitan Planning Organizations (MPOs) may offer technical support to local government in developing their own transition plans as a guide for all projects, not just Federal-aid Highway Projects.

#### [Transition Plan Management](#)

KYTC's Transition Plan is a living document which will undergo routine updates and revisions as needed. The update schedule is subject to change at the discretion of KYTC based on changes in guidance from the United States Access Board, Federal policy, and/or KYTC policy. KYTC's Transition Plan is available for continual public view via KYTC's Website.

#### [ADA and its Relationship to Other Laws](#)

Title II of the ADA is one of three Federal statutes which regulate facility and program accessibility to all individuals. The Architectural Barriers Act of 1968 is a Federal law which states that facilities designed, built, altered, or leased with Federal funds are required to be accessible. Section 504 of the Rehabilitation Act of 1973 is a Federal law which provides protection to qualified individuals from discrimination based on their disability. Within the law there are requirements which outline non-discrimination in regards to employers and organizations receiving financial assistance from any Federal department or agency. Title II of the ADA has expanded this coverage to include all state and local government entities, regardless of whether they receive Federal funding or not.

There are several guidelines and standards that are available which specify the requirements of accessibility under the previously mentioned laws. The ADA and Architectural Barriers Act Accessibility Guidelines (ADAAG) prepared and published by the U.S. Access Board offers guidance for the design and construction of facilities in order to adhere to compliance requirements of the ADA. Federal agency standards are generally updated in accordance to the ADAAG guidelines. In the event a Federal agency adopts guidelines, they are then considered standards and bound in Federal law. ADAAG was first adopted in 1991, and later updated and adopted in 2004.

The Department of Justice (DOJ) and the U.S. Department of Transportation (USDOT) currently manage the ADA standards which are based on ADAAG; the standards are applied based on the type of facility:

- State and Local Government Facilities (except transportation facilities)
  - DOJ regulations issued under Title II of the ADA use DOJ's 2010 standards which became mandatory on March 15, 2012).
- Transportation Facilities
  - Transportation facilities such as bus stops and station and rail stations are applicable to USDOT's ADA standards and regulations. The facilities are required to adhere to USDOT's updated plan based on the 2004 ADAAG.

The Public Right-of-Way Accessibility Guide (PROWAG) is the most common form of guidance on ADA related improvements. The Access Board created these to be supplementary guidelines to assist in establishing the standards that may not address features in specific detail. Initially PROWAG was drafted in 2005, with a revision in 2011. In regards to accessibility needs and requirements ADA and Title VI do not supersede or preempt state or local laws which may offer equivalent or great protections.

Under Title II KYTC must adhere to the following general requirements:

- Operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities (25 C.F.R. Sec. 35. 150).
- May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has disability (25 C.F.R. Sec. 35. 130(a)).
- Make reasonable modifications in any policies, practices, and procedures that may provide equal access to individuals with disabilities unless a fundamental alteration in the program would result (28 C.F.R. Sec. 35. 130(b) (7)).

- May not provide services or benefits to individuals with disabilities through programs that are separate or different measures are necessary to ensure that benefits and services are equally effective (28 C.F.R. Sec. 35. 130(b) (IV) & (d)).
- Take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others (29 C.F.R. Sec. 35. 160(a)).
- Designate at least one responsible employee to coordinate ADA compliance (29 C.F.R. Sec. 35. 107(a)). This person is often referred as the “ADA Coordinator.” The public entity must provide the ADA Coordinator’s name, office address, and telephone number to interested individuals (28 C.F.R. Sec. 35. 107(a)).
- Provided notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons (28 C.F.R. Sec. 35. 106). The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis (28 C.F.R. Sec. 35. 104.8 (a)).
- Establish a grievance procedure. Public entities must adopt public grievance procedures providing for prompt and equitable resolution of complaints (28 C.F.R. Sec. 35. 107(b)). This requirement provides for a timely resolution of problems or conflicts related to ADA compliance before they escalate.
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## ADA Program Information

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### [KYTC ADA Responsibilities and Contacts](#)

Greg Thomas, Secretary of KYTC, is the official responsible for implementation of the ADA Transition Plan with support from the Department of Highways and the Office for Civil Rights & Small Business Development.

KYTC has designated an ADA/504 Coordinator to be responsible for coordinating the implementation of ADA requirements and Section 504 of the Rehabilitation Act. In consultation with Federal Highways Administration (FHWA) and the Cabinet’s Office of Legal Services, the Cabinet’s ADA/504 Coordinator shall also be responsible for interpreting the requirements of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act. The public may submit complaints, comments and/or questions to:

Ashlie A. Woods, MPA  
KYTC ADA/504 Coordinator  
Office for Civil Rights & Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor  
Frankfort, KY 40622  
Phone: (502) 564-3601  
Facsimile: (502) 564-2114  
Ashlie.woods@ky.gov

KYTC is dedicated to meeting ADA requirements and continues to provide resources to improve accessibility throughout the Commonwealth of Kentucky.

#### [Grievance or Complaint Procedure](#)

Title II of the ADA states users of KYTC facilities and services have the right to file a grievance or complaint if they believe KYTC has not provided reasonable accommodations. The Grievance Procedure is required by 28 C.F.R. Part 35.107, provides detailed information on how to file a complaint. Per the Grievance Complaint Procedure, a formal complaint must be filed within 180 calendar days of the alleged occurrence.

The Kentucky Transportation Cabinet (“KYTC” or “Cabinet”) has adopted an internal complaint procedure for prompt and equitable resolution of complaints alleging an action prohibited by federal regulations contained in Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504.

Any person with a disability or his/her designee or any parent or guardian who represents a minor person with a disability, who believes that they have been the subject of disability-related discrimination on the basis of the denial of access to facilities, programs or services, may file a complaint. Issues that are grievable include but are not limited to: denial of a requested accommodation, inadequacy of an accommodation, inaccessibility of a program or activity due to disability, or discrimination based on disability.

The KYTC will respond or act on complaints made through the grievance or complaint process as explained in Appendix A. All complaints should be addressed to the ADA/504 Coordinator who has been designated to coordinate KYTC’s ADA compliance efforts.

Ashlie A. Woods, MPA  
KYTC ADA/504 Coordinator  
Office for Civil Rights & Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor  
Frankfort, KY 40622  
Phone: (502) 564-3601  
Facsimile: (502) 564-2114

Ashlie.woods@ky.gov

#### Public Notice

The ADA requires all public entities to provide public notice regarding the rights of the public under the ADA and the responsibility of the entity under the ADA. Providing public notice is an ongoing process and responsibility which is left to the public entity to determine the most effective process to communicate this notice (ex. Website, bulletin boards, print or radio advertisements, etc.).

#### Communications

Per Section 35.160(a) of the ADA "...A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others." KYTC is required to provide effective quality communication to individuals with disabilities where necessary to ensure an equal opportunity to participate in, and reap the benefits of a program, service, or activity. Effective communication can be provided by offering alternative formats, auxiliary aid(s) and/or services upon request. These services include but are not limited to the following: interpreters being hired for the hearing impaired, email communications, website accessibility, and text materials that are accessible by screen readers are made available to users.

#### Public Involvement

A public entity that has 50 or more employees is required to obtain public input on their ADA Transition Plan. With that being said the KYTC recognizes that broad public involvement is a vital element in assuring that people affected by the Cabinet's programs, services, and facilities understand the depth and nature of their responsibilities for establishing equal access to the public. The KYTC's outreach efforts specifically targeted individuals and organizations representing persons with disabilities for their input to ensure KYTC is meeting the priorities of persons with disabilities; below is a list of individuals and organizations that were solicited for their input.

Organization Name	Contact Name	Contact Title
Kentucky Office of the American with Disabilities Act - State Coordinator	Jennifer Hicks	ADA Coordinator
Center for Accessible Living (CAL)	Jan Day	CEO
Center for Accessible Living (CAL) - Murry	Carrissa Johnson	
Independence Place	Dave Wickstrom	Executive Director
Kentucky Protection and Advocacy	Elizabeth Metzger	Disabilities Rights Advocate
EKU Office of Services for Individuals with Disabilities	Teresa Belluscio	ADA/504 Compliance Officer
Kentucky Commission on the Deaf and Hard of Hearing	Blake Noland	Information Coordinator
Kentucky Council on Developmental Disabilities (CCDD)	Marylee Underwood	Personal Service Contract
Guide Dog Users of Kentucky	Deb Lewis	President

A draft of the Transition Plan, a draft of the Grievance Complaint Procedure, and a link to the public input survey were sent via email to the organizations listed above. The organizations were asked to share the drafts of the Transition Plan and the Grievance Complaint Procedures and also the survey link with the individuals their organization serve. The email served as a form of public notification requesting voluntary completion of the survey (each individual and organization were given two weeks to submit their responses). After the deadline surveys were still being accepted and the survey is still available for the public to provide comments/suggestions, the survey can be accessed via a link on the Office of Civil Rights' webpage.

Commented [WA(2)]: This information per FHWA

The public input survey consisted of questions that were dedicated to identifying general concerns regarding accessibility to the KYTC's facilities (state office buildings, rest stop areas, etc.) and seeking feedback on KYTC's drafts of the Transition Plan and Grievance Complaint Procedures. Below is a summary of the survey.

Of the survey responses received 75% of the respondents were female and 25% of the respondents were male. In regards to race 93.33% were white, 6.67% were African American or Black, 1 respondent self-identified as Appalachian, and another respondent self-identified as Native American and White. There were 93.75% of the respondents that self-identified as not Hispanic or Latino and 6.25% self-identified as Hispanic or Latino.

On the survey there were questions which required an open-ended response and there were also some respondents that provided additional comments with their answers, below is a summary of the open-ended responses and additional comments.

1. What are some of the major challenges you experience as a pedestrian accessing Kentucky Transportation Cabinet facilities (state office buildings, rest stop areas, etc.)? Use space below to answer.

- Many of the respondents expressed concerns regarding lack of parking spaces that are in close proximity to state office buildings main entrances (this includes accessible parking).
- Restrooms in Transportation Building not being ADA accessible.
- Sidewalks not being ADA accessible; such as being too smooth and when the smooth surface is wet it becomes slick which can possibly lead to injury. Also not all streets have sidewalks.
- Not enough safe walking trails.
- Safety and respect concerns regarding persons with disabilities who use cabs as form of transportation.
- Not enough rest areas, park benches, and a “people-mover” in these locations.

2. Was the draft of the Policy Statement and ADA Complaint Process easy to comprehend? Please provide any comments regarding the Policy Statement draft and ADA Complaint Process. Additional Comments:

- The Policy Statement and ADA Complaint Process should not contain a lot of legal jargon.
- There were not any attachments accompanying the email.<sup>1</sup>
- More sidewalks in Pulaski County, specifically along Highway 27.

The following are general comments providing suggestions regarding the draft of the Transition Plan, a draft of the Grievance Complaint Procedure.

- Details regarding the number of days regarding filing an ADA complaint, requesting additional information regarding a complaint being filed, and reopening a case due to new information.
- Suggestion regarding ADA appropriate language.
- Suggestion regarding the necessity of a question.

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<sup>1</sup> An email asking the point of contact (listed within the comment) for their voluntary participation by forwarding the email (with the Policy Statement and the ADA Complaint Process included as attachments) to individuals and organizations their office represents.

Below are summaries of the survey questions which did not require an open-ended response.

1. How old are you?

Age Range	Response %
16 years old or younger	0.00%
25 to 34 years old	6.25%
35 to 44 years old	28.13%
45 to 54 years old	31.25%
55 to 59 years old	15.63%
60 to 64 years old	12.50%
65 to 74 years old	6.25%
Over 75 years old	0.00%



2. What is your primary source of transportation?

Transportation Options	Responses
Car	93.75%
Bus	3.13%
Walking	0.00%
Other (please specify)	3.13%

3. Do you have any of the following disabilities which affect your mobility when traveling on sidewalks? (Please check all that apply)

Disabilities	Responses
Visually Impaired	3.13%
Mobility Impaired	9.38%
Hearing Impaired	3.13%
None	84.38%
Other (please specify)	6.25%

4. What is the usual reason for your walking trip? (Please check all that apply)

Choices	Responses
Pleasure/Exercise/Health	93.75%
To access goods or services (groceries, errands, etc.)	37.50%
School/Church/Civic Events	18.75
Other (please specify)	3.13%

5. What are some of the major challenges you experience as a pedestrian accessing Kentucky Transportation Cabinet facilities (state office buildings, rest stop areas, etc.)? Use space below to answer.

- Please rank the following types of ADA improvements necessary to achieve greater accessibility, with 1 being top priority and 6 being lowest priority.

Improvements	1	2	3	4	5	6	N/A	Total
Install/improve curb ramps	35.00%	25.00%	20.00%	0.00%	15.00%	0.00%	5.00%	20
Improve sidewalks/walkways	35.00%	30.00%	20.00%	0.00%	5.00%	5.00%	5.00%	20
Improve sidewalks at driveways	4.55%	22.73%	50.00%	13.64%	4.55%	0.00%	4.55%	22
Improve median refuge	12.50%	4.17%	8.33%	20.83%	8.33%	41.67%	4.17%	24
Improve pedestrian signals	13.04%	4.35%	8.70%	30.43%	17.39%	17.39%	8.70%	23
Install/improve crosswalk markings	4.00%	20.00%	8.00%	20.00%	36.00%	8.00%	4.00%	25

6. Was the draft of the Policy Statement and ADA Complaint Process easy to comprehend? Please provide any comments regarding the Policy Statement draft and ADA Complaint Process.

Answers	Responses
Yes	78.95%
No	21.05%

### [Training](#)

Training regarding ADA complaint policy will be offered to KYTC employees. This training will be developed during FY 2017 and delivered to staff upon completion.

### [Pedestrian Facilities: Methods & Schedule](#)

ADA regulations require that the ADA Transition Plan identify physical obstacles in the public entity's facilities that limit the accessibility of its programs or activities.

The first step in developing KYTC's final ADA Transition Plan will be to conduct a self-evaluation of the current state-wide status of accessibility per the guidance in the PROWAG and ADAAG of the pedestrian facilities under KYTC's jurisdiction.

The following outlines the roles and responsibilities of various individuals who will conduct the self-evaluation and transition plan related to state maintained pedestrian facilities and will explain how KYTC will undertake the various phases which will ultimately culminate in the completion of the KYTC transition plan.

Phase I of KYTC's transition plan, which includes a sidewalk/curb ramp correction program and detailing of resurfacing projects that include ADA improvements, is projected to be completed in five years. During this phase of the self-evaluation and collection of inventory, the KYTC Division of Planning will contract with the Kentucky Transportation Center (KTC), the cooperative transportation research division of KYTC, to conduct a comprehensive assessment of KYTC's pedestrian facility network. The pedestrian facilities encompass the categories of sidewalks and curb ramps located on state maintained roads.

## Sidewalk/Curb Ramp Correction Program FY 16 – FY 20

### **Phase I: Absence/Presence Evaluation**

#### **1. Develop sidewalk inventory along KYTC state maintained roads**

##### **Task 1: Develop Sidewalk Inventory**

Develop an inventory of state maintained sidewalks installed in the Commonwealth of Kentucky. KTC will utilize KYTC Division of Planning online maps and GIS systems (e.g., Photolog), Google Earth (both base and street views), and ArcMap to visually identify the presence or absence of sidewalks along all state maintained roadways. This visual inspection will be conducted strictly online and proceed along all KYTC designated state routes. KTC will define sidewalk locations using KYTC-defined mile points along state maintained routes as well as assigning a corresponding direction of cardinal right or non-cardinal right. Finally, the inventory of sidewalks will be categorized by type. The five sidewalk types include:

- Paved – a paved sidewalk represents any sidewalk constructed with the materials of asphalt, brick, concrete or a combination thereof
- Unpaved – an unpaved sidewalk represents sidewalks constructed by less commonly used materials such as gravel, mulch, and other ADA approved materials
- Other – a traversable and constructed surface area such as a parking lot but not specifically delineated as a sidewalk (should be less than 20% of total inventory)
- Null – no sidewalk or constructed surface area exists
- No Record – area has not been inspected for confirmation of sidewalk

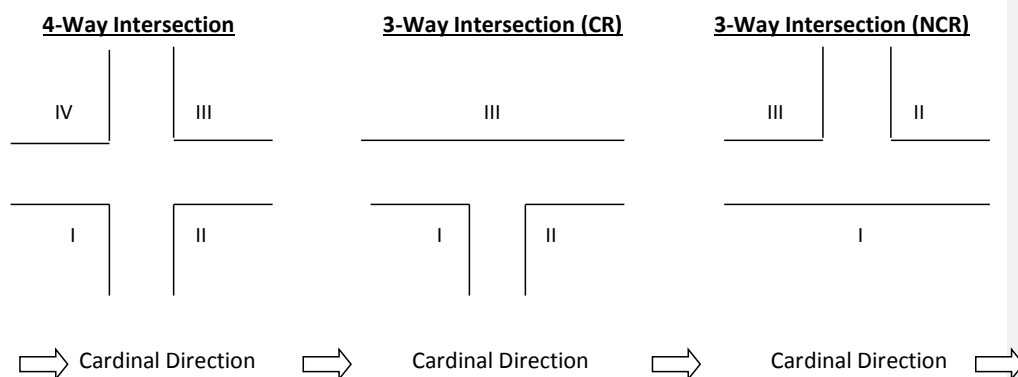
#### **2. Develop curb ramp inventory along KYTC state-state and state-local intersections**

##### **Task 2: Develop Curb Ramp Inventory**

Develop inventory of state maintained curb ramps installed in the Commonwealth of Kentucky. KTC will utilize KYTC Division of Planning online maps and GIS systems (e.g., Photolog), Google Earth (both base and street views), and ArcMap to visually identify the presence or absence of curb ramps at state-state and state-local intersections in the Commonwealth of Kentucky. State-state intersections are those intersections where two state-maintained routes intersect each other; conversely, state-local intersections are those routes where a state route and local route intersect each other. KYTC retains responsibility for maintaining both state-state and state-local intersections and thus, each will be inventoried accordingly. Using these intersection types, researchers will initially examine all known urban intersections in the

Commonwealth of Kentucky using the recently developed KTC *Spatial Database for Intersections* (see KTC-15-11/SPR14-480-IF). This project identified all intersection locations across the state. Researchers will subsequently examine select rural intersections where a sidewalk has been determined to be present. This step relies upon the completed sidewalk inventory from Task #1 and confirms a sidewalk's presence adjacent to a rural intersection from any given direction (i.e., leg). A "present" sidewalk can be either a (a) paved sidewalk, (b) unpaved sidewalk, or (c) other traversable surface area (to include parking lots).

The visual inspection process for the curb ramp inventory will be conducted strictly online. Curb ramps will be assigned as either: plain ramp (smooth surface), truncated dome ramp (elevated domes), null ramp (no ramp present), or no record (site has not been visually inspected for confirmation). The curb ramp inventory will examine 3-way and 4-way intersections and annotate the intersection's location by route and milepoint (at approximate center of intersection). In addition, quadrant numbers will be assigned to each intersection corner and used to name the individual curb ramp's location at an intersection (see diagrams below). Intersections with five or more legs will be analyzed on a case-by-case basis and annotated individually to account for those unique characteristics.



### 3. Develop crosswalk inventory along KYTC state-state and state-local intersections

#### Task 3: Develop Crosswalk Inventory

Develop inventory of crosswalks installed at state maintained intersections within Kentucky. This process will occur simultaneously with the curb ramp inventory and utilize the same visual inspection procedures and methodological steps. This inventory will be limited to a presence or absence test. Intersection crosswalks displaying painted markings on the pavement surface will be considered present. Intersection crosswalks lacking any painted markings indicating a pathway for pedestrians will be considered absent. The crosswalk inventory will



KTC will generate an abbreviated summary report detailing the main findings from the sidewalk and curb ramp inventories. This report will provide an overview on the total number of sidewalks and curb ramps confirmed throughout the state by county and conversely, those found lacking. The report will summarize inventory characteristics for both sidewalks and curb ramps. A data dictionary listing definitions for each of the categories used within the inventory will accompany the inventory report. Finally, this report will examine ADA compliance procedures relevant to State DOTs and provide conclusions and recommendations for the way ahead.

KTC is projecting this assessment and collection of sidewalk, curb ramp and crosswalk inventory will extend over a period of 18 months as shown in the following timeline:

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### **Task 1 Update: As of April 1, 2016\***

In November 2015, KTC researchers obtained the complete list of state maintained roads through the KYTC GIS *StateRds* file. This KYTC file lists those roads which the Cabinet is responsible for maintaining. Consequently, this list will be used by KTC to determine which roadways in the state require a sidewalk inventory. Next, KTC condensed the original list into individual pivot tables corresponding to each county. The pivot table format listed each unique route number as a single row with a beginning and ending milepoint. Initially, the *StateRds* file divided a single unique route into numerous milepoint segments corresponding to KYTC's highway segment format. However, the revised format will allow for increased reliability and efficiency while conducting the sidewalk inventory. Next, KTC researchers developed the template format for generating the sidewalk inventory. This format used Microsoft Excel and displayed the following categories, Begin MP, End MP, Highway Route, Roadway Category, Sidewalk Material, and KYTC PhotoLog Collection Date. Finally, KTC began the initial stages of the sidewalk inventory. To date, the sidewalk inventory is fully complete for Adair, Allen, and Anderson counties and partially complete for Ballard, Barren, and Franklin counties.

In December 2015, KTC researchers developed a progress status report to share with the KYTC Study Advisory Committee. KTC researchers presented this progress report through a scheduled SAC meeting which provided additional insights into inventory progress-to-date, special cases encountered, and issues to address. KTC incorporated comments and suggestions from the meeting into the inventory process. In December, KTC completed full sidewalk inventories for Ballard, Barren, Bath, Bell, Boone, Bourbon, and Franklin counties.

In January 2016, KTC completed sidewalk inventories for Boyd, Boyle, Bracken, Breathitt, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Campbell, Carlisle, Jackson, Jessamine, Johnson, Knott, and Knox counties.

\*All counties are still considered DRAFT at this time.

[ADA 504\Copy of ADA Sidewalk Inventory Template - 20160224.xlsx](#)

### **Phase II: Prioritization**

In Phase II of the sidewalk/curb ramp program, KYTC will utilize the sidewalk and curb ramp inventory findings to develop an initial deficiencies list. Those locations identified as having barriers to accessibility will be prioritized based on their proximity to schools, hospitals, bus stops (including bus pads), and government buildings and the volume of pedestrian traffic.

KYTC will engage either KTC or Area Developmental Districts (ADD) or another entity (yet to be identified) to conduct field visits in those identified high demand areas and make feasibility determinations; these areas will be further prioritized with input from the public and organizations that represent the interests of persons with disabilities. KTC is expected to aid in

the development of guidelines for prioritizing the inventory locations based on the priorities outlined below:

Priority #1: Public buildings, hospitals, schools, churches, facilities for the vision impaired, nursing/retirement homes, commercial districts, and heavy pedestrian locations.

Priority #2: All other qualified locations (i.e. locations identified through the ADA issue portal system and/or the formal complaint process or public comment).

KYTC will overlay the identified deficiencies with the guidelines developed by KTC to create the final prioritization of non-accessible locations under the KYTC's jurisdiction.

### **Phase III: Programming and Implementation**

KYTC has programmed an item in the Six Year Highway Plan to include yet to be identified ADA improvement/correction projects, which result from the sidewalk and curb ramp inventory, assessment, and prioritization.

On an annual basis, based on the inventory and prioritization process outlined in this strategic plan, projects will be identified to address barriers to access for individuals with disabilities. Also annually, KYTC will track those projects already programmed for ADA improvements/corrections through its resurfacing projects or "3R Program."

KYTC will develop an overall strategy for data maintenance and provide updates to the ADA Coordinator in the future for inclusion in the ADA transition plan. Reports will be generated to monitor compliance, progress and project accomplishments, as well as any public input or comment.

KYTC Division of Maintenance from its 3R Program has identified the following state road resurfacing project locations that include ADA improvements. The projects identified below are resurfacing projects scheduled for award for FY16 that KYTC anticipates will include ADA improvements.

Below is the link to a report detailing the resurfacing projects which also include ADA improvements, this list will be updated annually as new projects are completed.

[Resurfacing Projects with ADA Improvements](#)

### Completion/Compliance Dates

The exact timeframes for completion of the sidewalk/curb ramp program will depend on the results of the inventory and programming of funding. KYTC's transition plan will be updated as progress is made toward completion of the inventory. Once the inventory is complete, the KYTC ADA transition plan will be updated annually.

KYTC is required by Title II of ADA to conduct a self-evaluation of physical assets and current policies and practices; also included in the plan are methods to remedy the identified



inconsistencies required by the ADA. The self-evaluation will include a description of training efforts to assure individuals with disabilities are not subjected to discrimination due to insensitivity.

Via the self-evaluation KYTC can, but is not required to identify areas where modifications may be required to bring facilities, programs, and public rights-of-way into compliance with the ADA.

#### Areas of Focus

An inventory will be conducted of the sidewalks and curb ramps; photo logs, GIS mapping, and site-surveys. The parties responsible for conducting the interview are the Division of Planning and KTC; they will conduct the inventory on statewide roadways adjacent pedestrian facilities on roadways. The scope of the inventory will help develop an initial deficiencies list, as well as limit the scope to locations which have barriers to accessibility and are located in high traffic areas where there may be schools, hospitals, transit stops, government buildings, etc. Also limit barriers to accessibility to: presence/absence of sidewalk ramps and detectable warnings will be inventoried.

In subsequent years an inventory will be conducted on parking, facilities, signage, and pedestrian signals.

#### **ADA Transition Plan -- Future Actions**

**Parking, Bus stops (Bus pads), Share Use Trails, Parks, and Signage – FY 21**

**Pedestrian Signals – FY 23**

## Definitions

**Americans with Disabilities Act** - (Pub. L. 101–336, 104 Stat. 327, 42 U.S.C. 12101–12213 and 47 U.S.C. 225 and 611) Subject to the provisions of Title II of the ADA, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG)** - Provide scoping and technical specifications for new constructions and alterations undertaken by entities covered by the ADA.

**ADA Title II, Nondiscrimination on the Basis of State and Local Government Services** - Protects people with disabilities from discrimination in services, programs or activities of all State and local governments.

**ADA/504 Coordinator** – Employee of the State Transportation Agency (KYTC) who has been designated to coordinate the KYTC’s activities and efforts with respect to Title II ADA and Section 504 compliance.

**Alteration** - Modification made to an existing building or facility that goes beyond normal maintenance activities and affects or could affect usability.

### **Auxiliary aids and services includes—**

- 1) Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays, or other effective methods of making aurally delivered materials available to individuals with hearing impairments
- 2) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments
- 3) Acquisition or modification of equipment or devices
- 4) Other similar services and actions

**CFR (Code of Federal Regulations)** - The Code of Federal Regulations is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

**Changes in level** - Vertical height transitions between adjacent surfaces or along the surface of a path. Small changes in level are often caused by cracks in the surfacing material. Changes in

level may also result when the expansion joints between elements such as curb ramps and gutters are not constructed at the same time. On trails, ruts caused by weather erosion, tree roots, and rocks protruding from the trail surface are common sources of changes in level.

**Cross slope** - The slope measured perpendicular to the direction of travel.

**Curb ramp** - A combined ramp and landing to accomplish a change in level at a curb. This element provides street and sidewalk access to pedestrians using wheelchairs.

**Customer** - Any person who applies for, receives, or participates in a KYTC program, services, or activity.

**Designated Agency, (23 CFR Subpart G, 35.190)** - The USDOT is one of the designated Federal executive agencies with oversight/enforcement responsibilities for the Title II of the Americans with Disabilities Act. The USDOT is required to oversee transportation compliance activities of State and local governments. In turn, the various modes within DOT have certain responsibilities for their respective program areas. FHWA is responsible for pedestrian access as pertains to highways, roadways and walkways within the public right-of-way.

**Detectable Warning** - A surface feature built in or applied to walking surfaces or other elements to advise of an upcoming change from a pedestrian to a vehicular way. (PROWAG R405.5)

**Disability** - In respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

- 1) The phrase physical or mental impairment means—
  - a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, disorder such as mental retardation, organic brain hemic and lymphatic, skin, and endocrine;
  - b) Any mental or psychological syndrome, emotional or mental illness, and specific learning disabilities.
  - i) The phrase physical or mental impairment includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

- ii) The phrase physical or mental impairment does not include homosexuality or bisexuality.
- 2) The phrase major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- 3) The phrase has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- 4) The phrase is regarded as having an impairment means —
  - i) Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a public entity as constituting such a limitation;
  - ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
  - iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by a public entity as having such an impairment.
- 5) The term disability does not include—
  - i) Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;
  - ii) Compulsive gambling, kleptomania, or pyromania; or
  - iii) Psychoactive substance use disorders resulting from current illegal use of drugs.

**Facility** - Means all or any portion of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walks, passageways, parking lots, or other real or personal property, including the site where the building, property, structure, or equipment is located.

**Metropolitan Planning Organization (MPO)** - An urban regional body for areas with populations larger than 50,000, that makes transportation policy and planning decisions as mandated in Federal transportation legislation.

**Pedestrian** - A person who travels on foot or who uses assistive devices, such as a wheelchair, for mobility.

**Pedestrian Access Route** - A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility. (PROWAG R105.5)

**Places of public accommodation** - Facilities operated by private entities that fall within the following 12 broad categories defined by Congress: places of lodging, food establishments, entertainment houses, public gathering centers, sales establishments, service establishments,

transportation stations, places of recreation, museums and zoos, social service establishments, and places of education.

**Private entity** - An individual or organization not employed, owned, or operated by the government.

**Program** - Means an administrative area within KYTC including areas designated as “programs” and any program, service, or activity administered by or operated by KYTC’s contractors, consultants, grantees, etc.

**Programs, Services, or Activities** - Are collectively referred to as “program” or “programs”. Used in this policy, include any KYTC program, service, or activity whether within KYTC or administered or operated by a contractor, consultant, grantee, etc.

**Public entity** means—

- (1) Any State or local government;
- (2) Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
- (3) The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

**Qualified individual with a disability** - Means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

**Qualified interpreter** - Means an interpreter who is able to interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary.

**Reasonable accommodation** - Is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

**Reasonable Modification** - Means that KYTC shall make reasonable changes in the policies, practices, or procedures of a program, service, or activity when the modifications are necessary to avoid discrimination based on disability unless the modification would fundamentally alter the nature of the program, service, or activity. A modification of policies, practice or procedures made to a program, service, or activity is one that allows an individual with a disability the opportunity to participate equally in the program, service, or activity or benefit from the service.

**Right-of-Way** - The rights, title, and interest in real property necessary for the construction and maintenance of the project. Private property rights may be acquired by donation or acquisition and may be fee-simple, easement, or other form of use agreement acceptable to the parties. The property rights must be of sufficient duration to match the design life of the project, and in a form that can be recorded on the land records.

**Recipient** - As defined by Section 504, it means any State, territory, possession, the District of Columbia, or Puerto Rico, or any political subdivision thereof, or instrumentality thereof, any public or private agency, institution, organization, or other entity, or any individual in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal financial assistance from the Department is extended directly or through another recipient, for any Federal program, including any successor, assignee, or transferee thereof, but such term does not include any ultimate beneficiary under any such program. This definition includes primary STA FHWA recipients such as State departments of transportation (STAs) and STA sub recipients such as metropolitan planning organizations (MPOs), local governments, and other State and local government agencies that receive Federal financial assistance through the STA.

**Section 504** - Means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended prohibits discrimination on the basis of disability in any program service, activity, or benefit of a recipient/sub-recipient of Federal financial assistance.

**Self-Evaluation** - State and local governments are required to evaluate existing services (this includes transportation and pedestrian facilities), policies, and practices for discrimination practices and barriers, under 28 CFR 35.105. This is a prerequisite for developing the Transition Plan.

**State** - Means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

**State Department of Transportation (STA)** - Means, for the purposes of this policy, an agency whose primary mission is the planning, construction, operation and maintenance of transportation projects, programs, including roads and highways and is the primary recipient or sub-recipient of Federal financial Assistance.

**Transition Plan** - Under 28 CFR 35.150, a written plan that identifies the barriers to be removed, the timetable for completion and funding sources for removing information and physical barriers and the installation of curb ramps. Work included in the Transition Plan is an ongoing process requiring periodic updates.

**Truncated Domes** - Small domes with truncated tops that are detectable warnings used at transit platforms, curb ramps, and hazardous vehicular ways.

**United States Code (USC)** - The United States Code is the codification by subject matter of the general and permanent laws of the United States. It is divided by broad subjects into 50 titles and published by the Office of the Law Revision Counsel of the U.S. House of Representatives.

## Appendix A

### ADA Complaint Procedures and Instructions

#### Who Can File a Grievance/Complaint?

Any person or any specific class of persons, by themselves or by a representative, organizations or business entities that believe they have been subjected to discrimination or retaliation prohibited by Section 504 or Title II of the ADA may file a complaint.

For purposes of ADA, a person with a disability is an individual who:

- Has a physical or mental impairment that substantially limits one or more major life activities; or
- Has a record or history of such an impairment; or
- Is perceived or regarded as having such an impairment.

#### How Do I File a Grievance/Complaint?

All complaints should be addressed to the ADA/504 Coordinator who has been designated to coordinate KYTC's ADA/504 compliance efforts.

Ashlie A. Woods, MPA  
KYTC ADA/504 Coordinator  
Office for Civil Rights & Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor  
Frankfort, KY 40622  
Phone: (502) 564-3601  
Facsimile: (502) 564-2114  
[ashlie.woods@ky.gov](mailto:ashlie.woods@ky.gov)

#### Step 1 – Filing an ADA/Section 504 Grievance/Complaint

- A complaint must be signed and filed in writing or through an electronic statement. Complaints may be filed by mail, fax, in-person, or e-mail. A complaint must contain at the least the following:
  - The complainant's name and address or phone number; and
  - A description of the alleged discriminatory action in sufficient detail to inform KYTC of the nature of the complaint and the date of the alleged violation of the regulations.



If applicable, the complaint should also identify the agency or organization alleged to have discriminated and a proposed response or resolution to the complainant's satisfaction.

In the event the complainant is unable to prepare the complaint in writing, he/she may contact the ADA Coordinator by phone to arrange an alternate method (i.e. personal interview, large print or tape recording).

You may use the KYTC electronic *ADA/Section 504 Complaint Form* for any ADA/504 complaint, but you are not required to do so. The KYTC electronic *ADA/Section 504 Complaint Form* is accessible on the KYTC's website at the link below:

<http://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Documents/ADA%20Complaint%20Form.docx>

- A complaint shall be filed within 180 days after the complainant becomes aware of the alleged violation, unless the time for filing is extended for cause. Complaints received later than 180 days after the alleged violation may be dismissed as untimely. An extension or waiver of the filing deadline may be granted under any of the following circumstances:
  - The complainant was unable to file a complaint because of incapacitating illness or other incapacitating circumstances during the 180 day period, and the complaint was filed within 180 days after the period of incapacitation ended;
  - Unique circumstances generated by KYTC or another federal, state or local entity action have adversely affected the complainant; or
  - The discriminatory act is of a continuing nature.

## **Step 2 – ADA/Section 504 Grievance/Complaint Review**

- An acknowledgement of receipt notification shall be mailed to the Complainant by registered mail within five (5) days of the receipt of the complaint.
- The complaint will be reviewed within fifteen (15) business days after receipt of the complaint. The KYTC ADA/Section 504 Coordinator will review the complaint to determine whether it contains all the necessary information required for acceptance and review and contact the Complainant for any clarification and/or additional information.

*Note: If clarification or additional information is requested by the KYTC ADA/Section 504 Coordinator, the Complainant should make every effort to*

*provide the information requested within five (5) business days, as a failure to provide the requested information may lead to an administrative closure of the complaint.*

### **Step 3 – Informal or Formal Investigation, if necessary**


- An investigation, as may be appropriate, will follow the filing and acknowledgement and initial review of a complaint. The KYTC may choose to investigate or refer the complaint to the Federal Highway Administration (FHWA) or other appropriate authorized agency for investigation. The KYTC's investigation shall be conducted by the KYTC's ADA Coordinator and/or staff designated by the Secretary of KYTC. The investigation shall include contact with the complainant, KYTC staff, and others as necessary. If the complainant does not wish to be contacted personally, he/she should indicate such in the complaint.
- A written report of findings as to the validity of the complaint and a proposed resolution, if any, shall be issued by the KYTC's ADA/Section 504 Coordinator. A copy of the written report (or other such method as requested (i.e. large print, audio cassette or TDD) will be forwarded to the complainant no later than sixty (60) days after receipt of the complaint. The findings report shall include:
  - A description of the complaint;
  - A finding of facts;
  - A description of how the complaint will or will not be resolved;
  - When the complaint will be resolved if not denied;
  - Responsible staff name and contact information if not denied; and
  - Appeal rights of the complainant.

### **Step 4 – Appeal Process**

- If a complainant is dissatisfied with the KYTC ADA/Section 504 Coordinator's determination, the complainant can request reconsideration. The Request for Reconsideration must be made within thirty (30) days to the Secretary of the KYTC or his/her designee. Upon receipt of a Request for Reconsideration, the Secretary of the KYTC or his/her designee has an additional thirty (30) days to respond. The Secretary of the KYTC or his/her designee's decision is final. The complainant will receive the final response or resolution in writing (or other acceptable form of communications). In addition, the complainant will be informed of alternate avenues of redress available to the complainant.

- A complainant is not required to exhaust the KYTC's complaint procedure before filing a complaint with the Kentucky Division of FHWA, the U.S. Department of Transportation, or the U.S. Department of Justice. Any person who believes he or she has been discriminated against based on his or her disability also has the right to bring a lawsuit to enforce their rights under Title II of the ADA and may receive the same remedies as under Section 504 of the Rehabilitation Act of 1973, including reasonable attorney's fees.
- These procedures are designed to establish operating guidelines that incorporate appropriate due process standards and ensure agency compliance with Section 504 and Title II of the ADA.
- The KYTC shall maintain the confidentiality of all files and records relating to grievances filed, unless disclosure is authorized or required by law. Retaliation against, coercion, intimidation, threat, interference or harassment of a complainant under this procedure or individual assisting a complainant is prohibited.
- The KYTC's ADA/Section 504 Coordinator shall maintain records of all complaints for a period of five (5) years.

## ADA Grievance/Complaint Form

		KENTUCKY TRANSPORTATION CABINET Office for Civil Rights and Small Business Development		TC 18-8 Rev. 06/2016 Page 1 of 3	
<b>ADA/SECTION 504 PROGRAM COMPLAINT</b>					
<b>INFORMATION &amp; INSTRUCTIONS</b> Title II of the Civil Rights Act of 1964 prohibits discrimination because of race, color, religion, or national origin in certain places of public accommodation. ADA/Section 504 of the Rehabilitation Act of 1973 forbids denying qualified individuals with disabilities and equal opportunity to participate in any programs receiving federal financial assistance.  The complaint process is designed for members of the public to resolve conflicts with the Kentucky Transportation Cabinet (KYTC) involving allegations of discrimination in access to KYTC programs, services, and activities for persons with disabilities pursuant to the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.					
<b>SECTION 1: COMPLAINANT INFORMATION</b>					
NAME <i>(first, mi, last)</i>			MAILING ADDRESS		
CITY	STATE	ZIP	PREFERRED METHOD OF CONTACT		
			<input type="checkbox"/> Home phone		
			<input type="checkbox"/> Email Address		
			<input type="checkbox"/> Alt/Cell		
<b>TYPE OF DISABILITY</b> <input type="checkbox"/> Speech <input type="checkbox"/> Mobility <input type="checkbox"/> Hearing <input type="checkbox"/> Alt/Cell <input type="checkbox"/> Mental/Emotional <input type="checkbox"/> Visual <input type="checkbox"/> Other					
<input type="checkbox"/> I do not have a disability.					
<b>ATTORNEY REPRESENTATION FOR THIS COMPLAINT <i>(if any)</i></b>					
NAME <i>(first, mi, last)</i>			FIRM NAME		
ADDRESS			CITY	STATE	ZIP
PHONE					
<b>SECTION 2: DISCRIMINATION DETAILS</b>					
Explain in detail the reasons why you believe discrimination has occurred. <b>Provide dates, location, and time of discrimination.</b> If there are witnesses, provide names, addresses, and phone numbers for each witness.					



**ADA/SECTION 504 PROGRAM COMPLAINT**

**SECTION 2: DISCRIMINATION DETAILS *(cont.)***

**SECTION 3: GOVERNMENT, ORGANIZATION, OR INSTITUTION BELIEVED TO HAVE DISCRIMINATED**

COMPANY NAME		STREET ADDRESS	
MAILING ADDRESS <i>(if different from street address)</i>		CITY	STATE ZIP
PHONE	PERSON COMPLAINANT SPOKE WITH	TITLE <i>(if known)</i>	

**PROPOSED RESOLUTION OR ACCOMMODATION *(What remedy is being requested?)(Be specific.)***

Have you filed this complaint with any other federal, state, or local agency or with any federal or state court?

☐ Yes ☐ No

AGENCY NAME	DATE
-------------	------



**ADA/SECTION 504 PROGRAM COMPLAINT**

**SECTION 4: SIGNATURE AUTHORIZATION & ADDITIONAL INSTRUCTIONS**

**SIGNATURE**

**DATE**

Return this form to:

ADA/Section 504 Coordinator  
Office for Civil Rights and Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor West  
Frankfort, KY 40622

The Kentucky Transportation Cabinet (KYTC) does not discriminate on the basis of disability in admission of its programs, services, or activities; in access to them, in treatment of individuals with disabilities, or in any aspect of their operations. KYTC also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Questions, complaints, or requests for additional information regarding the ADA and Section 504 may be addressed to:

ADA/Section 504 Coordinator  
Office for Civil Rights and Small Business Development  
200 Mero Street, 6<sup>th</sup> Floor West  
Frankfort, KY 40622  
(502) 564-3601

This notice is available in large print, on audio tape, and in Braille upon request to the ADA Coordinator.